

WELCOME TO THE IMMIGRANT VISA UNIT



A great place to do great work

IV Team, Baghdad May 2010

Understanding Our Role

- What are the visa categories we provide?
- Useful Definitions?
- Required Forms and Applications?
- Time Processing

U.S. immigration law provides for immigrant visas in the following general categories

 **Immediate Relatives of U.S. Citizens (9 FAM 42.21)**

 **Other Family-Based Immigration (9 FAM 42.31)**

 **Employment-Based Immigration (9 FAM 42.32(a)-(e))**

 **Special Immigrant Visa Program (Kennedy Program)**

 **Diversity Visa (DV) Program**

Understanding The Immigrant Visa Categories

Immediate Relatives

IR1/CR1 - Spouse of a U.S. citizen

IR2 - Minor children (under 21) of a U.S. citizen

IR3/IH3/IR4/IH4 - Adoptive children of a U.S. citizen

IR5 - Parent of a U.S. citizen

IW - Spouse of a deceased U.S. citizen

K1 - Fiancée of a U.S. citizen

K3 - Certain spouses and minor children of a U.S. citizen

V1 - Certain spouses and children of a legal permanent resident

Family-Based Immigrant Visas

- K1 - Fiancée of a U.S. citizen
- K3 - Certain spouses and minor children of a U.S. citizen
- V1 - Certain spouses and children of a legal permanent resident
- F1 - Unmarried adult son or daughter of a U.S. citizen
- F2A - Spouse and minor children of a legal permanent resident
- F2B - Unmarried son or daughter of a legal permanent resident
- F3 - Married children of a U.S. citizen
- F4 - Siblings of a U.S. citizen

Employment-Based Immigrant Visas

(In most of these categories, the sponsoring employer in the U.S. must file a petition and the applicant must demonstrate that she/he has the requisite education, work experience and/or special skills.)

Continuation, Employment Categories

- E1 - Priority Workers
- E2 - Professionals holding advanced degrees
- E3 - Skilled workers
- E4 - Certain special immigrants
- E5 - Investors
- SD/SR - Certain religious workers and family

Special Immigrant Visa (SIV) **(Kennedy Program)**

Who can file a petition for (SIV) ?

Iraqi nationals; if they can establish that they meet the following requirements they can file a self-petition for this visa classification if they can establish that they meet the following requirements:

- *Must be a national of Iraq.*
- *Must have been employed by, or on behalf of the United States Government in Iraq, on or after March 20, 2003, for a period of not less than one year.*
- *Must have provided faithful and valuable service to the United States Government, which is documented in a letter of recommendation from the employee's supervisor that is approved by the Chief of Mission (COM).*
- *Must have experienced or be experiencing an ongoing serious threat as a consequence of the employment by the United States Government, as determined through a risk assessment conducted by the Chief of Mission (COM) or the designee of the COM.*
- *Must be able to clear a background check and appropriate screening as determined by the Secretary of Homeland Security(DHS).*

Diversity Visa Program

The Diversity Immigrant Visa Program is administered on an annual basis by the Department of State. to 50,000 permanent resident visas are given out annually to persons from countries with low immigration rates to the United States.

Applicants for Diversity Visas are chosen by a computer-generated random lottery drawing

Useful Definitions

The Petitioner , the Petition and the Beneficiary
Affidavit of Support
The Child as per the FAM
Sponsor
Priority/Cut-Off Dates
Refugee

The Petitioner

*The person or business that files the petition is called the **petitioner**, and the person on whose behalf it is filed is called the **primary beneficiary***

The petition is a request submitted by American individuals or American firms on behalf of an alien to immigrate to U.S. by the law

Affidavit of Support

Support, job offers, proof of assets or whatever other evidence they believe demonstrates that they will not be dependent on public assistance in the United States.

The Sponsor

The term sponsor refers to the person who completes form I-864 Affidavit of Support on behalf of an immigrant and the immigrant's family members. All petitioners in family-sponsored immigrant visa cases must be sponsors on an I-864. Other individuals may be joint sponsors when the petitioning relative does not have the income to meet the requirements established by law.

The Child

“Child” under INA 101(b)(1) if the person were under 21 and unmarried.

Priority

An immigrant visa applicant's priority date is:

- The date on which DHS received the I-130 petition filed for the applicant;*
- The date on which the Department of Labor received the request for labor certification (in employment based cases);*
- Or a number assigned at random by KCC for diversity visa applicants*

Cut-Off Date

*The cut-off date for immigrants in a particular category signifies that applicants whose **priority date** is earlier than the cut-off date, can process their immigrant visa applications to conclusion. Cut-off dates can be found in the Visa Bulletin on travel.state.gov.*

Refugee

A refugee is someone who is outside his or her country of nationality or habitual residence, who is unable or unwilling to return to that country because of a well-founded fear of persecution.

Required Forms and Applications

DS-156 Non-immigrant Visa Application Form

DS-156K Supplemental Application for Fiancé(e)s

DS-230 Application for Immigrant Visa and Alien Registration

DS-157 Supplemental Non immigrant Visa Application Form

DSP-122 Supplemental Registration for the Diversity Immigrant Visa Program

Time processing

It is difficult to predict how long the immigrant visa process will take. Some cases can be processed in two to three weeks and others take much longer.